

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CAC ATLANTIC LLC,

Plaintiff,

v.

No.

HARTFORD FIRE INSURANCE COMPANY,

NOTICE OF REMOVAL

Defendant.
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TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

1. Hartford Fire Insurance Company (“Hartford”) is a defendant in the civil action commenced by Plaintiff CAC Atlantic LLC in New York State Supreme Court, New York County, Index No. 653044/2016. Pursuant to 28 U.S.C. §§ 1441 and 1446, Hartford hereby removes this action to the United States District Court for the Southern District of New York, which is the judicial district in which this action is pending.

2. Removal is proper because this Court would have had original jurisdiction of this action based on diversity of citizenship, 28 U.S.C. § 1332, had this action been brought originally in federal court. Furthermore, removal of the action is not barred under 28 U.S.C. § 1441(b), because no party properly joined as a defendant is a citizen of the State of New York, where this action is pending.

3. Original jurisdiction based on diversity of citizenship is proper in this case because:

a. Plaintiff alleges that it is a New York limited liability company operating in the state of New York and maintaining an office at 1412 Broadway, 3rd Floor, New York, NY 10018.

b. Counsel for Hartford has inquired of Plaintiff's counsel as to the citizenship of the members of Plaintiff CAC Atlantic LLC, but Plaintiff's counsel has not provided such information to Hartford as of the date of this Notice of Removal.

c. Defendant Hartford is, and has been since this action was commenced, a citizen of Connecticut in that it is an insurance company domiciled in Connecticut with its principal place of business in Connecticut.

d. Plaintiff alleges that the amount in controversy exceeds \$75,000 exclusive of interest and costs, in that its complaint seeks compensatory damages of \$16,500,000.00 plus interest, and costs and disbursements.

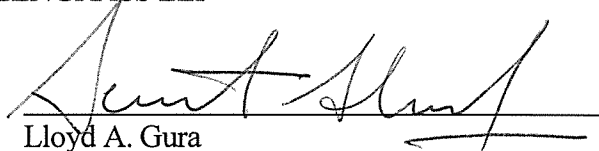
4. This Notice of Removal is timely because the summons and complaint were served on Hartford on June 13, 2016. This Notice of Removal was filed within 30 days of receipt of that pleading and within one year of the date on which the action was commenced.

5. The only papers filed to date in this action are the Notice of Filing of Notice of Removal, and the summons and the complaint. The Notice of Filing of Notice of Removal is annexed hereto as Exhibit 1, the acknowledgment of service by the Department of Financial Services is annexed hereto as Exhibit 2, and the summons and complaint is annexed hereto as Exhibit 3.

Dated: New York, New York
July 8, 2016

MOUND COTTON WOLLAN &
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